

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

RENE CASTILLO, #02731-380,	§	
	§	
Petitioner,	§	
	§	
v.	§	Civil Action No. 3:15-CV-886-L
	§	
N. VASQUEZ, Warden	§	
	§	
Respondent.	§	

ORDER

Before the court is Petitioner Rene Castillo’s (“Petitioner”) *pro se* writ of habeas corpus pursuant to 28 U.S.C. 2241, filed February 2, 2015. The case was referred to Magistrate Judge David L. Horan for screening, who entered the Findings, Conclusions and Recommendation of the United States Magistrate Judge (“Report”) on December 21, 2015, recommending that the court summarily dismiss Petitioner’s action as frivolous. No objections to the Report were filed.

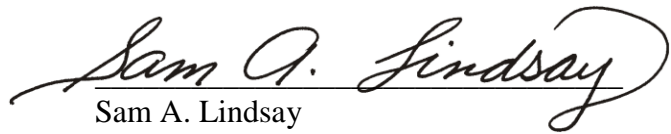
Having reviewed the file, record in this case, and Report, the court determines that the findings and conclusions of the magistrate judge are correct, and **accepts** them as those of the court. Accordingly, the court **dismisses** this action **with prejudice** as frivolous.

Considering the record in this case and pursuant to Federal Rule of Appellate Procedure 22(b) and 28 U.S.C. § 2253(c), the court **denies** a certificate of appealability. The court adopts and incorporates by reference the Magistrate Judge’s Findings, Conclusions, and Recommendation filed in this case in support of its finding that Movant has failed to show (1) that reasonable jurists would find this court’s “assessment of the constitutional claims debatable or wrong,” or (2) that reasonable jurists would find “it debatable whether the petition states a valid claim of the denial of

a constitutional right” and “debatable whether [this court] was correct in its procedural ruling.”
Slack v. McDaniel, 529 U.S. 473, 484 (2000).

In the event Petitioner will file a notice of appeal, the court notes that he must pay the filing fee of \$505 or file a motion for leave proceed *in forma pauperis* on appeal.

It is so ordered this 20th day of April, 2016.

A handwritten signature in black ink, reading "Sam A. Lindsay". The signature is fluid and cursive, with a large loop at the end of the last name. It is positioned above a horizontal line.

Sam A. Lindsay
United States District Judge